

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Wells Fargo Advisors LLC,

Plaintiff vs. Reagan Tucker, Benjamin Dooley, and Marvin Glasgold	Case Number 18-cv-06757
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Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Wells Fargo Advisors LLC,

Plaintiff vs. Reagan Tucker, Benjamin Dooley, and Marvin Glasgold	Case Number 15-cv-7722
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Defendant

Status of Earlier Filed Case:



Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

Case was closed on August 26, 2016 after the Court denied Petitioner's Petition to Dismiss or in the Alternative Stay the Pending Arbitration and Compel Individual Arbitration in Accordance With the Binding Arbitration Agreements.

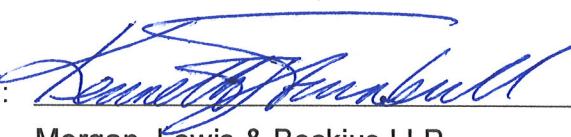
Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

On September 30, 2015 Petitioner filed a Petition to Dismiss or in the Alternative Stay the Pending Arbitration and Compel Individual Arbitration in Accordance With the Binding Arbitration Agreements. That matter was assigned to the Honorable Valerie E. Caproni and given docket number 15-cv-7722. Judge Caproni denied that petition on July 1, 2016, and the case was closed on August 26, 2016. Petitioner appealed and on March 30, 2018 the Second Circuit affirmed the decision of the District Court.

As Judge Caproni concluded that the parties' agreement required them to submit the question of whether individual arbitration was required to the arbitrator in the first instance, the parties submitted the question to an arbitrator, who issued a clause construction award on June 28, 2018.

Petitioners now move, pursuant to 9 U.S.C. 1 et seq., to vacate that award. This action and the previously filed action (15-cv-7722) involve the same parties and events and there will be substantial factual overlap. The actions involve the same legal issues. Furthermore, if the newly filed action (18-cv-06757) is assigned to a different Judge there would be a substantial duplication of effort and expense by the Court and the parties. Therefore, Wells Fargo respectfully requests that the newly filed case be referred to Judge Valerie E. Caproni as a related matter.

Signature:



Morgan, Lewis & Bockius LLP

Date: 7/30/2018

Firm: